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6.

THOUGHTS

ON THE

CONSTRUCTION and POLITY

OF

PRISONS,

by John Jebb

WITH

HINTS for their IMPROVEMENT.

Edited by Capel Loft.

BURY ST. EDMUND'S.

PRINTED BY J. RACKHAM.

A few to be also had of C. PUNCHARD, IPSWICH.

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MDCCLXXXV.

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TO
THE HIGH SHERIFF
AND
MAGISTRATES
OF
THE COUNTY
OF
SUFFOLK,
THESE THOUGHTS
ARE
INSCRIBED.

TEMPERATUS COHIBET TIMOR:
ASSIDUUS, ACER, EXTREMA ADMOVENS,
IN AUDACIAM JACENTES EXCITAT.
SEN: DE CLEM: R.



No. 10000

1872

THE HISTORY OF THE UNITED STATES

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PREFATORY ADDRESS.

IT has been my happiness, acting in the Commission of the Peace, to have been present at the two Sessions, one for the Ipswich and the other for the Bury Division, held last Midsummer: when Points were deliberated and resolved, the least of which is of very extensive importance to the Community; the building of a new Gaol at Ipswich; and of a new Bridewell on the South-Gate-Green by Bury.

I believe it is generally known that the three Houses this part of the County has are any thing rather than places of confinement or of correction; and that from their total unfitness and insecurity, the Justices have thought it necessary to refrain from Commitment in many Cases where that Mode of proceeding would otherwise have been salutary; from a full persuasion that it could not answer those

reformatory purposes for which a well regulated restraint is peculiarly calculated.—And with regard to the Gaol it may be permitted me, not to speak the Ideas of an Individual, but to represent what appeared to be the general Impression on the View. The want of rooms for any tolerable degree of separation of the Prisoners; the want of space in their wretched cells—the Privation of Air and Light; the only place open to the sky where they could move or breathe so narrow and so surrounded as not to allow the benefit of either*—The state of the building hazardous in the extreme in every sense—These objects and the sensations they excited established an Agreement of Resolution more perfect and satisfactory than perhaps can be conceived by any who were not present. The Gaol indeed was found on a careful view remarkably clean, and it is vigilantly kept:

* Court Yard about 18 square Rod. Felons Kitchen (their only Room) 11 Feet by 13 and 7 Feet high: over it a bed Room for Debtors, 18 Feet by 15.

Surveyors Report to the Justices in pursuance to the order of Session, 14 Jan. 1785.

In this Gaol 19 March, 1785, were Prisoners on charge of Felony,

35 Men

3 Women

17 Debtors: these last said to be in general from 30 to 40.

55

See with regard to Gaols, 13 G. III. ch. 58. 14 G. III. ch. 59. Penitentiary Houses in lieu of Transportation, 19 G. III. ch. 74. 24 G. III. c. 54. and the Summary of the several former Provisions in Burn's Justice, (Title, *Gaol*) with the remarks in the close of that Article in the last (15 Edit.) and for Houses of Correction, 22 G. III. c. 64. 24 G. III. c. 55. and the Title, House of Correction, in Dr. Burn.

neglect

neglect in either instance, dangerous in any Prison, would in this have been destructive. But the reverse of what it is in materials, structure, situation, suggested a good general Notion of what it ought to be: there being scarcely a requisite for a suitable Edifice of the kind the negative of which is not exemplified in this. A decay'd timber'd building, in a populous town; hedged in by other houses, not elevated, not provided with running water: a Chapel though neat and with the proper opening at the top (for the escape of the vitiated and the admission of the fresh Air) yet of such exceeding smallness as to render it impossible for the Prisoners to be assembled in it at once. And this is the more to be regretted as the Chaplain is distinguished by this encomium from Mr. *Howard*, that "not content merely with the regular and punctual performance of his stated duty he is a friend to the prisoners on all occasions." Where there is neither solitude nor silence nor that succession of pure and vivifying Air so essential not only to health, but to the preservation of the Faculties both of the Understanding and the Heart great indeed are the obstacles, superadded by these circumstances to resist the Efficacy of instruction and consolation! dreadful the shock of such overwhelming Evils of complicated and unimaginable Misery, not only to the helpless sufferers but to the few persevering friends of Humanity by whom they

they are visited ! And many of these sufferers are innocent : None so guilty as to merit from the inattentiveness to their situation of their erring fellow creatures, (which had suffered the prisons almost throughout the island to fall into such a state) an infliction heavier than the Hand of severe Law had laid upon them. And of the friends to the wretched there are those who would willingly encounter the horrors and the dangers of such a place in the hope of alleviating wretchedness, of ministering comfort to despair, of restoring those who are lost (possibly by bad education and by worse policy) to a sense of right, to social usefulness, to the comforts of society : at least to those which remain when the Gates of Society and of Life, are shut, on this side the Grave, against the unhappy delinquent—of these Friends to human welfare who can sufficiently image the regret when for want of fit Places of Confinement neither Prison nor House of Correction was in such a state as to leave a tolerable prospect of success to this labour of Benevolence. In this State of Things more beneficial Tendencies have doubtless been frustrated than can be conceived : and innumerable Evils have been matured against the Peace, the Safety, the Happiness of Society, which would have been prevented by a well adapted Custody of those very different Classes whom the Law destines to Confinement. And if any, from the little good discernable perhaps in the effect

effect of Houses of Correction, such as they generally are at present, should suppose that duly constructed and well attended they would be of doubtful or inconsiderable benefit, such will possibly change their opinion when they advert to the experience of other Countries ; or reflect on the nature of the human Mind and the influence of Retirement, Order, Habits of Cleanliness and Decency, mild but steady Discipline, plain but frequent and affectionate Instruction ; of proper Diet, of suitable Employment, of well adapted Censure and Encouragement : of a Separation from corruptive Society ; and of learning to feel what it is to be a rational, a moral, a social Being. Many who were unconscious of the Powers and Duties annexed to the human Character and of the capacity of every person who is honest and industrious to become respectable in a well order'd State would avail themselves of the friendly chastisement of preventive Justice : instead of rushing on the Terrors of extreme Punishment, unawed, unamended ; unbenefiting the Community by their Life ;—a reproach to it by their Death. And the Young, whose faults are rather of Ignorance and Precipitation than of habitual Obstinacy might be timely snatched back from the verge of the precipice. Small Offences checked and good Habits promoted would prevent the perpetration of crimes and the unavailing fatal encrease of sanguinary Laws.

This

This Summer has carried us in Suffolk a great and necessary step towards the accomplishment of objects so eminently important. It has produced a determination of putting into practice the Principles of the late Acts of the Legislature.—Acts for which Posterity will repeat the names of Hanway, Howard, Blackstone, Bunbury, with whom they originated.—Acts that constitute one of the happiest characteristics of the Age in which they have been adopted and go far to redeem the Ignominy of the modern Code of penal Jurisprudence, in a revival* of which and a Reform throughout its branches we may hope what has been thus nobly commenced will terminate.

But as the Completion of this Hope is at all Events a Work of Time, and may not meet in our day the encouragement it so peculiarly deserves, what is already set on foot in this County to alleviate the situation of the confined and to promote the different purposes of imprisonment, so far as Humanity and Justice is concerned, is worthy of Attention: and what remains to be effected in this particular will recompence to the Public all the Consideration that can be given to it.

* This Revival an Advocate, perhaps the only one of our general System of penal Law, yet allows may be expedient. Indeed there appears no other Method of reconciling to Justice that Certainty of Punishment which is essential to sound Policy. The Writer of this had the Misfortune to find in 1779, on the Statute Roll of Felonies *eighty-nine* within Clergy, ONE HUNDRED and SIXTY *without*. The Benefit of Clergy can be had but once. To the 249 then noted there has since been made a melancholy and almost continual Addition.

An

An elevated and detached Situation, with good Air and dry Soil, and the Opportunity of a Current of fresh Water, are Advantages that appear in both Instances to have been obtained by the Scite chosen. The Advertisements suggest the salutary Regulations of the respective Statutes as the Model by which the Plans to be delivered at the next Session are to be framed. At this Moment therefore, I trust that those with whom I have the honour to act in the Commission, and those who may have Proposals to make relative to the Construction both of the Gaol and Bridewell, may accept my contributing the best Endeavours in my Power to the furtherance of the Design : and at present the best that I can offer will be in laying before them the Sentiments of a Friend, whose Abilities and professional Experience have long, amidst other Exertions of Philanthropy, been applied to the Investigation of this Subject. I obtained his Permission to publish the annexed Paper with his Name. I have added a few Notes ; and the References in the Margin. It is my Wish the Idea be diffused ; examined by the Enlightened and Benevolent : persuaded that the Result of Attention and Discussion in this, as in every other Case, will be favorable to the Welfare of Mankind.

If the Thoughts be found to recommend themselves by Simplicity, by Economy, by Efficacy ; by
 B protecting

protecting Health, by promoting Order, by encouraging Inspection so necessary to both, happy shall I have been in having laid them before the Public.

As I may not possibly have so proper an Occasion, let me, before I close this Address, very briefly, but with some earnestness, remark, that as modern Philosophy glories less in the many Wonders she has disclosed than in the Uses to which her Discoveries have been and will farther be subservient, Places of Confinement are remarkably circumstanced for the Application of those Aids which scientific Humanity may administer. By their Situation, which must be much exposed, the particular Utility of Conductors as a Preservative against the Effects of Lightning is apparent. It seems now fully ascertained that these generally will prevent, and never, when properly constructed, encrease the Danger. Many of the Diseases to which Prisons are especially obnoxious, have been found to admit of Cure by fixable Air, that would have yielded less certainly and more slowly to other Remedies.* The simplest Process for obtaining a Quantity of pure || dephlogisticated Air may be occasionally of extreme Importance in the sick

* V. Some remarkable Cases in the Appendix to Dr. PRIESTLEY'S 1st and 2d vol. on Air.

|| Not only from calcined Mercury, Red-lead moisten'd with Spirit of Nitre, Flowers of Zinc treated in the same manner; but from crude Nitre. Vide PRIESTLEY ON AIR; Vol. II. f. 3, 4. Vol. IV. f. 25.

Rooms of such Places. In the very Materials and Covering of their Walls, the Advantages to Health in preferring Brick) which is porous)* to Stone, and White-wash to Paint or Plaister, seem of much moment to be regarded. ||

But I cease: that by unnecessary Detail I may not fatigue the Attention I would engage. I have great Hope from the Spirit that has been shewn, much Confidence in the Methods taken by the Sessions both at Ipswich and Bury for answering the wise and humane Purposes suggested by the late Acts relative to the Construction and Economy of these Buildings. And for my own Part, in setting my Name to this Paper my Heart assures me that my Intention is right.

Troston-Hall,
14 Aug. 1785.

CAPEL LOFFT.

* See both the Advertisements.

|| I owe this Hint also to the Author of the annexed Letter. And the Propriety of avoiding Damps of this Sort, from Walls made and covered with the Substances mentioned, and of guarding against the Mischiefs of an Air too heated or too cold, are no slight Considerations.

House of Representatives

January 18, 1890

Resolved, That the sum of \$100,000 be and it is the duty of the

Secretary of the Treasury to pay to the

Commissioner of the General Land Office

for the purchase of the

land in the

County of

State of

the sum of

for the purchase of the

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T H O U G H T S
O N T H E
CONSTRUCTION and POLITY
O F
P R I S O N S, &c.

IT is much to be lamented, but it is undeniably true, that whenever Business is permitted to be transacted without a controlling Power and frequent Inspection, the Persons to whom such Business is committed too generally neglect or abuse their Trust. Places of Confinement on many Accounts are unpleasing Objects: —and the miserable Portion of Mankind who are confined to those dreary Mansions too frequently feel, in the Tyranny of their Keepers, and other Severities, the Effect of that Disregard of their

Peculiar Necessity of inspecting Places of Confinement.

their Fellow-Citizens which is the general Concomitant of Exclusion from the busy Scenes of Life. Whatever, therefore, removes the general Reluctance to inspect* these doleful Abodes of Distress, may possibly tend to diminish the Horrors of their State.

Present hindrance to the visitation of such places.

It is the secret but indelible Persuasion that lofty Walls and Iron Doors, and grated Windows enclose Disease, as well as Misery of other kinds, which prevents the Exertions of the Compassionate from being employed in lessening the calamities of Confinement. Whatever Regulations therefore shall subject Places of Confinement to the salutary and cheering Influences of the Winds and Light of Heaven, may at once relieve the Sufferers from the Langour of Sicknefs, and from the Tyranny too often exercised by the inexorable Ministers of public Justice. I mean that Kind of Tyranny founded upon Neglect and the Denial of the common Necessaries of human Na-

* See Mr. Howard's Remarks on the urgent Occasion for appointing an Inspector (honorary and without Salary) to every Prison; either delegated from the Magistracy, in rotation or otherwise, or constituted by Parliament, — *State of Prisons*, p. 36.

ture,

ture, which the excellent Mr. Howard has so strikingly unfolded in his immortal Work; a Work at once the strongest Exhibition of Philanthropy since the Foundation, of our Religion and the severest Satire on the Species:

As a Basis for my subsequent Reflections I propose the two following Queries, suggested principally by Observations in the Line of my Profession.

I. *Is it not absolutely necessary, in order fully to remove the bad Effects of that Stagnation of Air and Accumulation of putrid Effluvia from living Bodies to which the unhealthy State of our Prisons is chiefly to be imputed, that the Place of Confinement should be ventilated frequently by Currents of fresh Air, moving freely in an horizontal Direction, in such a Manner as entirely to change that Part of the Atmosphere which is incumbent over the Surface of Habitation?*

QUERIES :

I. Whether ventilation by currents of Air moving freely in an horizontal direction be not necessary to drive off the stagnant noxious Air which surrounds Places of confinement

II. *Is it possible that this can be effected, be the interior Arrangements what they may, while the Place of Confinement is enclosed within FOUR WALLS RISING*

HIGH

II.

Whether walls above the level of the Inhabited surface be not necessarily inconsistent with this indispensable circulation of Air.

HIGH ABOVE THE LEVEL OF THE INHABITED SURFACE?

That Infection once received, within a Place, enclosed by such Walls, must long continue there; notwithstanding every other caution.

On the Contrary, *will not Infection, once received, continue, under such Circumstances, to exert its deleterious Powers, with various Degrees of Malignity, for a great length of Time; in Defiance of every Precaution that human Sagacity can suggest?*

The SITUATION of PRISONS, at a Distance from other Buildings, with the Conveniences attendant upon an *elevated Ground*, and a *running Stream of Water*, would certainly be preferable to the present Practice of erecting them in the closest Part of Towns. But these Improvements I conceive will be of little avail, without the Aid of the following, which I esteem as a Regulation essentially necessary to the Removal of those Inconveniences *which are so severely felt in the first Instance by the unhappy Sufferers under Confinement*, and eventually, *by the Community at large*.

It appears to me that in Preference to the Method hitherto observed for the Purpose

Purpose of Security, a DRY MOAT, *with shelving Sides*, covered with Grass, should, like a Line of Circumvallation, surround at a proper Distance, the PLACE of CONFINEMENT. And that a WALL, (equal perhaps in Height to those which at present surround the King's-Bench Prison,) should rise from the Bottom of this Moat. The *Top* of this Wall *should be level* with the *Surface* of the *Soil*.

Mode of Enclosure proposed by a dry Moat shelving; and a Wall rising from the Bottom of the Moat level to the Surface of the Soil.

Thus would the Security at present aimed at by the high Walls, be still enjoyed without their numerous Inconveniences, and an *unobstructed* Current of Air would continually ventilate every separate Building.

These Buildings should consist only of two Stories formed upon Arcades, agreeably to Mr. Howard's Idea: and contain, I apprehend, not more than six or eight Apartments. It would be also proper that these Apartments and their Appendages should vary in spaciousness and other Circumstances, as Exigency and the public Wisdom shall direct.

The Building should be only of two Stories.

* Mr. Howard says of the King's-Bench.—
“ This spacious Prison is enclosed with a strong Wall about thirty Feet high; with Chevaux de Frise.
P. 244.

The safe Custody essential to such Places may be effected by the Nature of the Building, or the INTERNAL POLITY, or both united.

Security, which, without a Doubt, is the essential Point to be consulted in Places of Confinement, may be effected by the *Strength* and *peculiar Construction* of the *Building*;—by *Attention* to INTERNAL POLITY;—or by the *combined* Aid of both.

That mechanical Strength seems to have hitherto been too much trusted and good Regulations too little.

It appears to me that too great a Reliance has hitherto been placed upon the Construction of Prisons;—too little upon a well regulated Economy:—and that the latter is frequently *impeded* by the Measures which are adopted to perfect the former.

Detached Buildings recommended; and of Brick rather than Stone.

Instead of Buildings formed of massy Stone, with various mechanical Expedients to guard against Escape, Security may perhaps be more essentially promoted by *detached* Buildings, less costly; substantial, formed of Brick; and into whose Recesses the Eye of *Vigilance* can *penetrate* with greater ease.

Stone Stair-Cases, separate Apartments.

Stone Stair-Cases—SEPARATE APARTMENTS, and such Expedients as may prevent improper Communication between the Prisoners, without encumbering the Structure,

Structure, are certainly *necessary*. But the *main* Improvement to be expected in the State of Prisons seems to me to consist in a judicious Mode of conducting their *internal Polity*.—*Lights* properly dispersed over the whole enclosed District; a regular Patrol by Day and Night, Permission to the Prisoners to enjoy the Benefit of the Air by Rotation at certain Hours;—concerted Signals of Alarm—would in all Probability afford more real Security, with less Expence and less Injury to the Feelings of Humanity, than can be effected in Buildings of the present Construction, wherein the very Provisions adopted to prevent Riot, Insurrection, or Escape, materially obstruct the free Communication and united Exertions of the People who are appointed to guard against them. Let us imitate Nature. She effects her Purposes by the simplest Means §.

Main Attention to the internal Polity by Light, Vigilance, and Order.

C 2

The

§ Mr. Howard says of the Prisons at Paris "The Discipline observed is so exact that at the Fire in the Conciergerie the numerous Prisoners (as I was informed) were removed without any Confusion or a single Escape." p. 168, &c. "None of the Prisoners in the Courts were in Irons. And yet in some of the Prisons there were more Criminals than in any of our London Gaols. My Reader perhaps will presently see Reason to conclude that the Manner in which Pri-
sons

General Idea
of the Economy
to be adopted
in the Manage-
ment of such
Places.

The present great Obstructions to the Visitation of Gaols, viz. The Apprehension of Unhealthiness, and the Expectation of the Eye and Ear being saluted on Entrance, with Bars and Bolts and Chains—and the Gloom inseparable from lofty Walls, and the Form and solid Structure of subterraneous Mansions, being thus effectually removed, the next Process will be, to hint a *Plan for the Regulation of their internal Polity*, and for securing the Observance of such Rules as Expedience shall suggest.

With respect to specific Regulations of internal Polity I do not presume to give a formal Opinion: being conscious that much must depend upon Experiment, and that my Habits of Life do not enable me to point out the Form that would be most expedient.—Perhaps the Regulations observed in Garrisons and Camps, wherein good Order and a State

sons are conducted renders Confinement more tolerable and Chains less needful. Indeed it was evident from the very Appearance of the Prisoners in some of the Gaols that humane Attention was paid to them." p. 166. In a like Sense the excellent Beccaria. *Ogni atto di Autòrità di uomo a uomo che non derivi dall' assoluta necessità è tirannico.* Dei delecti e delle pene.

of

of constant Vigilance are so very essential, may suggest to the *Civil Power* a Form of Polity steady in its Operation, easy in its Execution, and yet effectual to all the Purposes of Security. But the utmost Care should be taken that the Restraint of Liberty, even in the Case of the most atrocious Crimes, should be as mild as the Circumstances will admit: that the Establishment of the proper Rules and Orders, and the Mode of carrying them into Execution should be entirely under the Control of the Magistrates and Gentlemen of the District;—*that in no particular or possible Circumstance they should be liable to the Interference of the established Army*:—and with every proper Caution guarded against the Tyranny or over-bearing Influence of any Man or Set of Men who hold their Appointment from the Crown. Better, far better, that all the present Evils and Disorders, however grievous, should continue, than that under specious Pretences, Liberty, the choicest Gift of Heaven to Man, without which no other Blessing can convey real Enjoyment to the rational Mind, should be impaired, perhaps totally destroyed, by the Introduction

Caution against any unnecessary Restraint of Liberty in any Case.

Interference of the Army absolutely to be excluded.

Partial Influence to be avoided.

duction of a French System of Police, even into our Gaols.

The Answer to the Question *Quis Custodes custodiet ipsos?* is next to be considered. In what Manner are we to guard against the Neglect and Tyranny of the Officers of Prisons, and secure the Observance of such Rules as Expedience shall suggest?

The Conduct of the Houses of Industry in Suffolk and Norfolk; in one of which I was a Director for the Space of three Years, seems to me to point out an useful and practicable Mode of Government and Control.

Example of Houses of Industry in Suffolk and Norfolk recommended; and their Regulations stated.

A Committee Room, spacious, commodious, and pleasantly situated, is set apart for the *weekly* Meetings of the Directors and Guardians of the House.

They consist of the principal Gentry, Clergy, and Tenantry, in the Country. They visit in Rotation; each taking a Month. Two Directors from the Gentry, two acting Guardians from the Yeomanry (with the Clerk) form the weekly

weekly Meeting. The Governor of the House attends to answer Enquiries and Complaints. He brings up his Report of the material Events of the preceding Week. All Business respecting the Economy of the House, and current Expences is then settled. The Stores and Provisions are inspected—the Apothecary, who attends for a yearly Stipend, is examined with respect to the Sick.—In this whole Affair no Person complains of the Fatigue of Attendance, but rather takes Pleasure in the Discharge of so useful an Employment.

The Justices of the County, or District, aided by the Gentry and Clergy, and a certain Portion of the substantial Tenantry might be incorporated by Parliament with Powers to act in a similar Manner in respect to Gaols. And thus the present Reproach of the Disorder and Immorality of Persons under Confinement, would, I conceive be finally removed, and at the same Time the Feelings of Humanity, at present wounded by every Reflection upon the complicated Sufferings indured in these melancholy

Suggested as applicable under the necessary Extension to Gaols.

choly Mansions, be effectually consulted, without offering the minutest Injury to substantial Justice*.

JOHN JEBB.

* In a farther Explanation, by Letter, the Height which Dr. Jebb thinks may be sufficient for the sunk Wall is 25 Feet : on the Supposition of its rising from the Centre of a Fosse with sloping Sides, the Line of Descent being 50 Feet, and the Rise beyond the Wall the same, only more shelving towards the Country than on the inner Side towards the Prison.

Expencc, certainly, in whatever is material to the Purposes of a Structure such as that in Contemplation, will not be objected. The County addressed on this Occasion, whatever the Designs of Public Concern, will, I trust, yield the Palm of Liberality to none either in the Conception or the Execution.

It may be remarked, however, to vindicate the real Economy of the Proposal, that it saves much more, by the unnecessary Charges it retrenches relative to the Plan and Materials of the Building, than it incurs in this Article so essentially conducive to Health and Visitation. Indeed the Cost of surrounding the Space to be enclosed in the Manner suggested will not weigh as a Consideration, if the Utility be such as to me it seems. Rather we shall rejoice in giving this additional Employment to the Husbandman ; and of combining a present Benefit to one of the most useful Branches of the Community with the carrying on of a Work which, once well accomplished, will extend its good Effects to distant Ages : and if either Property or Life, the civil or the moral State of Society be of Concern to us, will nobly repay the moderate Expenditure it requires.

INTRO-

INTRODUCTION

TO AN EXTRACT

FROM HOWARD'S STATE OF PRISONS.

I HAD no farther Intentions originally than of printing what is contained in the preceding Pages. But it has since appeared to me that the subjoined Paper was so material that the Prospect of serving the Community by contributing to diffuse, in this County at least, a Knowledge of its Contents ought not to be omitted. As being a Part of the excellent Work of Mr. Howard it is probably in the Hands of many, perhaps most, of the acting Magistrates of Suffolk. Yet as these Pages may happen to be read by those who are not possessed of that extensive Repository of Information—a Product singular in its Kind, of indefatigable and intrepid Philanthropy—and as it is a very clear, concise and comprehensive Chart for the Guidance of those who are entrusted with the important Charge of establishing *Rules* and *Orders* for one of the Objects of the foregoing leaves (I mean Houses of Correction) I hope the reprinting of it here, with a few Observations and References annexed, will be found of Benefit to the Cause of Humanity and to the effectual Administration of reformatory Justice: and that it may, now particularly, have its Uses, when a Building is soon to be erected on that wise and liberal Plan which will admit of the

D

Adoption

Adoption of the salutary Principles recommended. Nor even to Gaols will its Provisions in general be less applicable: with this Exception, that Persons committed under Charge of Felony should not be obliged to work: nor are Debtors compellable: but both might be encouraged to labour in such a Way as their former Occupations might enable them. And if, which ought to be the Case, they are kept in separate Wards* from the Felons by Day as well as Night, there will be no Danger of trusting them with Tools, which in a promiscuous Society, exceptionable in every View, might be Instruments of Escape or of other Mischief. The Debtors should certainly have a Work Shop, for the Accommodation of such as are able and disposed thus to employ themselves. And there are many slight Works such as knitting, weaving, &c. to which no kind of dangerous Instruments is necessary; and which are soon learnt, even supposing no previous Acquaintance with the Employment. These, as Mr. Howard observes, might be very usefully countenanced even on the Crown Bar Side of the Prison||.

* It is not my meaning to subscribe to Imprisonment for *Debt*, when not marked with Fraud in the Conduct of the Debtor: for where it is, he is a Criminal; no longer answerable in his Property merely from the civil obligation, but personally for the wrong to the Faith of Society. But otherwise, far from esteeming the Practice to be founded on good Policy or constitutional Propriety, I hold it repugnant to the Interests of both Debtor and Creditor, to the principles of Commerce, and to the spirit of our ancient Freedom. But while it subsists and the same Buildings must contain both the Debtor and the Felon, at least the most perfect Separation that can be practicable should be made.

|| V. p. 14, last Edition.

GENERAL

General Heads of Regulation

PROPOSED TO BE ESTABLISHED IN
PENITENTIARY HOUSES,
O R
HOUSES OF CORRECTION*.

SHOULD the Design of erecting Houses of Correction§ on an enlarged and improved Plan, *similar* to that in the excellent Act 19 G. III, drawn up by Sir *William Blackstone* and Mr. *Eden*, be carried into Execution, it will be a most important Object to frame a Set of Regulations for their proper Government. In order to facilitate the Consideration of this Point I have put down, under a few general Heads, those Circumstances which appear to me most deserving of Attention; Examples of which, carried into Practice, may be found in different Parts of my Book.

* Copied from the State of Prisons, p. 470.

§ The Pennsylvanians call their Houses of correction *Bettering Houses*. A word not so elegant as it is emphatic and Humane. It is the Philosophy of Politics well known to the ancient States to give Terms that shall be expressive of the salutary End of Punishment, rather than suggest the Idea of harshness in the means.

I shall, in the first Place, however, declare my Opinion, that no Regulations will, in reality, be executed with due Care and Attention if these Houses are not erected so near the Metropolis or other capital Towns as to be easily accessible by those who may be entrusted with the Inspection of them. And this appears to me a Matter of so much Consequence as to over-balance every Consideration which might be supposed to render a different Situation more eligible §.

SECURITY.

SITUATION—Contrivance of the Building—lodging up Stairs or *over Arcades*—Clothes of two Colours—*Turn Stiles* and low Gates—*Alarm Bell*—double Doors; one iron laticed—*high Wall surrounding**—*Number and Disposition of Turnkeys*—*Gaolers Windows looking at the Yard*—Collar, Ring or something of that Kind to be worn for Discovery on Escapes†—Times of opening and shutting up to be

§ I have taken the Liberty to make an inconsiderable Change in the Arrangement of these Heads.

* On this Article my Persuasion is, that Walls rising high above the Surface inhabited, are in every possible Situation and Construction of a Prison to be avoided; and that the sunk Walls recommended by Dr. Jebb, with detached Buildings, Observation, and good internal Polity, would be sufficient for the Prevention of Escapes.

† There is an Intimation in the Original touching the employing of the Military, if necessary: this I have omitted, conceiving such Employ can by no Means be necessary where the other Regulations are proper and well maintained. The Objections against it are numerous, obvious, weighty; and, I think, irresistably conclusive.

With regard to collar or the like, it may, if ever needful, under a due Regulation be confined to Delinquents of particular Enormity. In general, the Marks in Case of Escape are not of so much Consequence as the due Preventatives against its happening.

strictly

strictly observed—*Caution in admitting Visitors*—only to be admitted at certain Times—not many at once—to be searched for Tools, Spirituous Liquors, &c.

HEALTH.

Fresh and sweet Air—open Windows and Apertures for a thorough Draught of Air—Prisoners made to go out and air themselves at proper Times—Privies properly situated—the Sewers spacious.

CLEANLINESS.

1. The Prisoners Persons—Use of Baths at Admission and other Times—to wash before Meals—Water in the Courts and Wards—Towels, Sinks, &c. in proper Places—Heads shaved—Encouragement to the most cleanly.

2. Their Cloaths—Linen clean, how often—other Clothes—Bedding—Beds brought out and beat.

3. The House—washing and sweeping of Cells—Work Rooms—Stair Cases—Galleries, &c.—Sewers—Drains—Yards—Plenty of Water—waste Water through the Privies—scraping the Walls—Lime whited twice a Year.

D I E T.

Provisions—Quantity and Quality—proportioned to Work—Difference in Summer and Winter—hot Provisions daily—Breakfast, Dinner, Supper—what—Manner of dividing and sharing—Hours of Meals; —Allowance

—Allowance in Weight—Inspectors of Provision—
House Weights—Liquor what—Measure of—Pri-
soners allowed to purchase—what and when.

TREATMENT OF SICK,

An Infirmary—Medical Attendance—Medicines
—freer Allowance § of Diet, Wine, Bark, &c.—
clean Linen—fresh Air—Nurses, Number of—Pre-
cautions against Infection—*Fumigation*—Clothes ex-
posed to fire in an Oven, or buried—*Room for Con-*
valescents—gradual Return to usual Diet and Labour.

L O D G I N G.

Separate Cell for each Prisoner.—Sexes separated—
Linen and Bedding what—Difference in Summer and
Winter—upon Barrack Beds—or iron—or wooden
Bedsteads—Flues or Stoves to warm the Cells in
Winter—Time allotted for sleep.

F I R I N G.

Fuel—what Kind and Quantity—when and how
long—Fires, where to be made—Stoves—Flues.

C L O T H I N G.

A Prison Uniform—Materials, Colour, &c.—Linen
provided, Stockings, Shoes, &c.

§ That is, under the Direction of a Physician or skilful Apothe-
cary, where the Disease indicates a Necessity. For this humane Provi-
sion must be circumspectly applied; neither omitted where expedient,
nor mistakenly adopted where it might aggravate the Disorder.

RELIGIOUS

RELIGIOUS INSTRUCTION AND MORALS.

Chaplain ||, his Duty—what and when—private Admonitions to young Offenders—*catechizing**, Chapel—Manner of placing the Prisoners in—Persons to overlook their Behaviour, Reward and Punishment for Behaviour at—Visitors dismissed at Service Time—Prisoners reading Chapters or Prayers—Bibles—Books provided—Grace at Meals—no gaming or drinking—*Ministers of different Persuasions allowed.*

EMPLOYMENT.

Proportioned to Strength—and to Degree of Criminality—Hours of—Kinds of—within Doors and without Doors—Number working together—Tasks—mere Labour—or Manufactures requiring Ingenuity—the Labour of each distinguishable from that of another—working at their own Trades—Clothing, &c. of the House made by Prisoners—washing—baking—Proportion of Profit to be allowed to Prisoners,

Wholesomeness of an Employment—ready Sale of Manufacture—Conveyance of raw Materials—and

|| That the late Statute, 22 G. III. c. 64, s. 12. gives a Power of appointing a Chaplain seems not generally understood. He is to reside near the Bridewell and to have a Salary not exceeding 20l.

* This Mode of Instruction surely deserves the utmost Care in the Application. Simplicity, Clearness and direct practical usefulness of the Truths thus suggested to the Mind appear to be indispensable. They should be few, readily recognized, influencing the Heart and Conduct rather than straining the Understanding.

Manufacture

Manufacture—Tools required, not dangerous ones—*returned a Night.*

R E W A R D S.

Shortening Term of Confinement—Work lighter or more agreeable—Order of being served at Meals—better Provision—Degree of Liberty allowed—Cells more convenient—Profit of Work—Distribution of Charity—Advance into a higher Class—Money given at Discharge—Cloaths given at Discharge—a Character at Discharge.

P U N I S H M E N T S.

Abridgement of Diet—or coarser Kind—hard or disagreeable Work—Marks of Disgrace, wearing Collar †, &c.—Stripes †—Term lengthened on Attempts to escape—shutting up the Refractory in strong Rooms—*solitary Confinement and Work.*

PROCEEDINGS ON DEATH OF PRISONERS.

Coroner—Jury how composed—Funeral—without the Precincts—how attended—Expence allowed for.

GOVERNMENT OF PRISON.

MAGISTRATES.—To visit at proper Periods—*without previous Notice—to see and examine all Prisoners separately—to fix Rewards or Punishments—a Room for in the Prison.*

† The utmost Caution is doubtless requisite in the Use of either of these Correctives. Nothing can be more likely to supersede the Appearance of an Occasion for them than a vigilant Exertion of the other excellent Methods for the Discipline of these Houses.

INSPECTORS.

INSPECTORS —By whom appointed—their Duty—
Time of Continuance in Office—how often to visit—
at unexpected Times—to view the whole Prison and
hear Prisoners Complaints—to examine and weigh
Provisions—to enquire the Conduct of Prisoners,
and represent proper Objects for Favor—Attendance
at Chapel—*no Salary—but some honorary Distinction.*

GAOLER.—His Duty—Inspection of—Complaints
against admitted—*obliged to constant Residence—allow-
ed no Profit in Provisions, Liquor, &c.—Salary of +*
—Manner of choosing him—no Rent or Taxes to
pay—*no Fees or private Emoluments from Prisoners.*

MATRON —Salary of—Duty.

TURNKEYS.—Number of—by whom appointed—
Salary—their Office.

MANUFACTURER.—Salary of—Duty.

TASK-Master.—Salary of—Duty.

REGULATIONS MADE KNOWN.

TABLES hung up—intelligibly drawn up—of the
Duty of Officers—of Keepers—of Prisoners—of
Hours of opening and shutting—of Work—of Be-
haviour of Prisoners to Keeper, &c.—of Rewards
and Punishments—of Attendance on Divine Service

+ In Lieu of the Profits of the Sale of Liquors 70l. at Bury, and
I think 200l. at Ipswich.

—of Diet—where hung—how made known—
 painted on a Board—printed and given to each Pri-
 soner—to be read at certain Times—by Chaplain or
 Keeper.

The following RULES, ORDERS, and REGU-
 LATIONS, are prescribed by the Statute of the
 Twenty-second of the present King already cited.

I. That the several Persons who shall be com-
 mitted to the House of Correction to be kept to hard
 Labour shall be employed (unless prevented by ill
 Health) every Day during their Confinement (ex-
 cept Sundays, Christmas Day and Good Friday) for
 so many Hours as the Day-light in the different Sea-
 sons of the Year will admit not exceeding twelve
 Hours; being allowed thereout to rest Half an
 Hour at Breakfast, an Hour at Dinner, and Half an
 Hour at Supper.

II. That the Governor of each House of Cor-
 rection shall adapt the various Employments, which
 shall be directed by the Justices at their Quarter-
 Sessions, to each Person in such Manner as shall be
 best suited to his or her Strength and Ability; Re-
 gard being paid to Age and Sex.

III. That

III. That the Males and Females shall be employed, and shall also eat and be lodged, in separate Apartments, and shall have no Intercourse or Communication with each other.

IV. That every Person so committed shall be sustained with Bread, and any coarse, but wholesome Food, and Water : but Persons under the Care of the Physician, Surgeon, or Apothecary, shall be sustained with such Food and Liquor as he shall direct.

V. That the Governor, and such Persons (if any) as shall be employed by the Justices to assist the Governor, shall be very watchful and attentive in seeing that the Persons so committed are constantly employed during the Hours of Work ; and if any Person shall be found remiss or negligent in performing what is required to be done by such Person, to the best of his or her Power and Ability, or shall wilfully waste, spoil, or damage the Goods committed to his or her Care, the Governor shall punish every such Person in the Manner hereafter directed.

VI. That if any Person so committed shall refuse to obey the Orders given by the Governor, or shall be guilty of profane cursing or swearing ; or of any indecent Behaviour or Expression ; or of any

Affault, Quarrel or abusive Words, to or with any other Person, he or she shall be punished for the same, in the Manner hereafter directed.

VII. That the Governor shall have Power to punish the several Offenders for the Offences herein before described, by closer Confinement : and shall enter in a Book to be kept by him for the Inspection of the Justices at the Quarter Sessions, and the visiting Justice or Justices, the Name of every Person who shall be punished by him, expressing the Offence and the Duration of the Punishment inflicted.

By the 4th Section the Justices in Session may make Additions at the Midsummer and Michaelmas Session to these Rules, Orders, and Regulations at their Discretion ; provided that such Additions shall not be contradictory to the Rules, Orders and Regulations established by this Act.

SUFFOLK.

SUFFOLK. *The General Quarter Sessions of the Peace of our Sovereign Lord the King. holden by Adjournment, at Ipswich, in and for the said County of Suffolk, on Thursday the 14th Day of July, 1783, before Thomas Maynard, Samuel Uvedale, Philip Bowes Broke, Francis Brooke, Charles Stiffed. and Capel Loft, Esqrs. Thomas Carthew, Richard Frank, and Henry Hill, Clerke, and others, Justices of our said Lord the King, assigned to keep the Peace in and for the said County. And also, &c.*

THIS Court is unanimously of Opinion, That the County Gaol at Ipswich is improperly situated, and that there is not sufficient Ground belonging to it to build a New Gaol upon, with proper Yards and Courts for the Prisoners of different Sexes and Descriptions, as required by an Act of Parliament, passed in the 24th Year of his present Majesty's Reign, intituled, "An Act to amend and explain an Act made in the 11th and 12th Years of the Reign of King William the Third, intituled, An Act to enable Justices of the Peace to build and repair Gaols in their respective Counties, and for other Purposes therein mentioned." And therefore that the said Gaol ought to be removed, pursuant to the Powers given by the said Act, and the Presentment of the Grand Jury, made at the last Lent Assizes held at Bury St. Edmunds, in and for the said County. And this Court is also unanimously of Opinion, That a New Gaol ought to be built, and that the same might most commodiously be built upon some Part of the Garden Ground in the Parish of St. Margaret in Ipswich aforesaid, in the Occupation of — Cason, and the Property of Mr. Wimper Cooke, of Bailham; and that the said Garden, or such Part thereof as may be necessary for the Purpose aforesaid, should be purchased. And this Court doth order the Clerk of the Peace to give Notice by Advertisements, in the Ipswich and Bury Papers, That at the next General Quarter Sessions of the Peace, to be holden at Ipswich in and for the said County, on Friday the 7th Day of October next, his Majesty's Justices of the Peace will then and there be ready to treat with such Person or Persons as may be willing to undertake to build the said New Gaol, who can give proper Security for the due Performance of the Work, and whose Plans and Estimates shall then and there be most approved of; which said Plans and Estimates such Person or Persons are desired to deliver to his Majesty's said Justices of the Peace at the said General Quarter Sessions of the Peace to be holden as aforesaid. And such Person and Persons are desired to attend to the Directions given by the said Acts in forming their said Plans; and to take Notice that the said New Gaol is intended to be built of Brick, and of sufficient Dimensions to contain Sixty Prisoners at least, with proper sick Wards, and Apartments for the Gaoler and his Family.

By the COURT,

COLLETT, Cl. Pac.

SUFFOLK.

SUFFOLK. *The General Quarter Sessions of the Peace of our Sovereign Lord the King, holden by Adjournment at Bury St. Edmund's, in and for the said County of Suffolk, on Monday, the 13th Day of July, in the Year of Our Lord, 1785, before Sir Charles Davers, Bart. John Symonds, Framingham Thrufton, Edward Goate, Capel Lofft, Esqrs. Dey Seyer, Thomas Preston, Thomas Ball, Doctors in Divinity, Robert Butts, Thomas Cooke, Clement Tookie, John Ord, and Thomas Pemberton, Clerks, and others, Justices of our said Lord the King, assigned to keep the Peace in and for the said County, And also, &c.*

THIS Court is of Opinion, That a New Bridewell ought to be built of Brick, and of sufficient Dimensions to hold Twenty-two Prisoners at least; that is to say, Fifteen Males and seven Females, and that a proper Surveyor should be appointed to inspect the Work during the Time the said Bridewell is erecting, and that no Workman to be employed shall be permitted to supply any of the Materials. And this Court doth direct the Clerk of the Peace to give Notice, by Advertisements, in the Bury and Ipswich Papers, and in the London General Evening Post, That his Majesty's Justices of the Peace of and for the County of Suffolk, will, on Monday the 10th Day of October next, at the General Quarter Sessions of the Peace, to be holden at Bury St. Edmund's, in and for the said County, be ready to treat with such Person or Persons as shall be willing to undertake to build such House of Correction, pursuant to the Directions of an Act of Parliament passed in the 24th Year of his present Majesty's Reign, intituled, "An Act to explain and amend
" an Act made in the 22d Year of the Reign of his present Majesty,
" intituled an Act for the amending and rendering more effectual the
" Laws in being, relative to the House of Correction" which Plan and Estimate shall be then and there most approved of. And such Person and Persons as are willing to undertake the said Work, are desired to deliver such Plans and Estimates to his Majesty's said Justices of the Peace at the said General Quarter Sessions of the Peace, to be holden at Bury St. Edmund's aforesaid.

By the COURT,

COLLETT, Cl. Pac.

A P P E N D I X

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MULTITUDE AND NATURE

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FELONIES by STATUTE.

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A P P E N D I X, &c.

AS the Number of penal Statutes implies a proportionable Tendency to fill our Prisons, it cannot be foreign to this Paper to state, that there are at present

	176 <i>Felonies without,</i>
and I think about	65 <i>within Clergy</i>

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And it will be observed, that in many of the Instances the List includes rather general Classes than specific Offences; otherwise the Catalogue would reach yet considerably higher. The Difference as to clergyable Felonies in my former Computation was owing to my having not subducted from that List such as are deprived of Clergy by later Statutes.

I must here, in Behalf of Humanity, remark, that when the Statute of Elizabeth * making it Fe-

* 5 Eliz. c. 20. s. 3.

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lony without Clergy to associate with Gypsies for one Month was repealed, it might have been hoped a yet severer Statute would have gone with it; that which makes it Felony without Clergy for Soldiers or Mariners † to wander without Testimonial from a Justice of the Peace. Blackstone justly expresses his Concern that “ this sanguinary Law (however deservedly antiquated in Practice) should remain a Disgrace to our Statute Book.” And what shall be said of the Punishment of Death annexed to Papists refusing to abjure ‡; or of subjecting a Popish Priest born within the Realm and exercising the Functions of his Profession, to the Pains and Penalties of High Treason*, and those who shall relieve any Popish Priest to the Judgement of Felony without Benefit of Clergy? What Opinion hold we concerning those Laws of another Order where Lives are sacrificed to the precarious Experiment of preventing a civil Inconvenience. As in the Case of stealing privately from

† 39 Eliz. c. 17, s. 2. ‡ 35 Eliz. c. 1, s. 3. * c. 2, s. 10. These two Acts are not affected by the Statute 11 and 12 W. III. c. 4. (subjecting Popish Priests to perpetual Imprisonment) which was repealed 18 G. III. c. 60. Protestants are also (under Circumstances) if Dissenters, still liable to Penalties, scarcely less severe; to which should they be exerted against any, the most firm, enlightened, conscientious, and consistent would be most exposed. Toleration (which by the Way implies a wrong Idea, as if religious Freedom were an Indulgence, not a Right) is still very imperfect. V. inter alia 9 and 10 W. III. c. 32, and 1 Eliz. c. 2. against speaking in Derogation (a most vague Term) of the Common Prayer: from neither of which does the taking of the Declaration, 19 G. III. c. 44, exempt; while those who take it not are liable to the 13 and 14 C. II; and also, if they keep Schools, to the 17 C. II.

the Pocket to the Value of Twelve-pence §; the Offence of stealing Linen from bleaching Grounds ||; the Misdemeanor of destroying Turnpikes ¶, or Trees, or of breaking Fish Ponds, or of unlawfully hunting, killing or stealing any Red or Fallow Deer in Parks, Paddocks, or enclosed Grounds*; or of forging Game Certificates †. Not to enumerate the various Statutes in supposed Protection of Stamps under the Revenue Laws so rapidly accumulating.

And even Breach of Prison, or so much as the Escape of the Prisoner without Force, has been made Capital in the Case of a Person committed for a Crime ‡ which the Law has not subjected to capital Punishment. It is true that Crime is not only base and heinous in its Nature, but highly injurious to Society. Yet as to the Escape of a Person who is imprisoned as a Punishment for it, more magnanimous it is and virtuous to bear the just Infliction of the Community; but to free one's self from Confinement is to follow an impulse so natural, that Death cannot properly be annexed to such a Conduct, when not accompanied with Attempts against the Persons of those who have the Prisoner in Charge. In these Circumstances the Magistrates of Berne § judged

§ 8 Eliz. c. 4. || 4 G. II. c. 16, 18 G. II. c. 27. ¶ 8 G. II. c. 20. 27 G. II. c. 16. * 9 G. I. c. 22. † 24 G. III. c. 43. ‡ Perjury, 2 G. II. c. 25, s. 2. § Howard's State of Prisons, p. 125, last Edition.

equitably, in not punishing those who escaped from Custody, but the Keeper. Nor will that Law stand the Test which executes a Bankrupt not surrendering, or refusing to be examined, or concealing his Effects.

This imperfect Enumeration implies sufficient Call for commencing, without Delay, the REVISAL of our PENAL STATUTES; a Task from the Necessity of which, Procrastination can take nothing; though its Difficulty every Session may be expected to augment. Such of these sanguinary Ordinances as are dormant may be revived by the Malice either of Parties or of Individuals; or if it were certain they would sleep for ever, the Honour of our national Policy requires that they be expressly abrogated*.

But

* ROUSSEAU, who combines the good Sense, Morality, and interesting Simplicity of *Plutarch*, with the Grace and Fluency of *Plato*, the comprehensive Refinement of *Aristotle*, and the Energy of *Demosthenes*,—ROUSSEAU, whose very Extravagances are rarely without a Mixture of Wisdom, and whose better Ideas find a Way to the Understanding and to the Heart by that Eloquence which approximates the Remote, illumines the Obscure, and seems to substitute to the slow and indistinct Process of collecting Information from the Views of another, the luminous and rapid Act of the Mind when we retrace Notions already investigated and familiar to us,—explains himself on this Subject with such Justness and Felicity, as induces me to quote a Passage of some Length; since it goes nearly to the whole Extent of what appears to be essential with regard to our penal System.

Au reste, il ne faut jamais souffrir qu' aucune loi tombe en désuétude. Fut elle indifférente, fut elle mauvaise, il faut l'abroger formellement ou la maintenir en vigueur. Cette Maxime, qui est fondamentale, obligera passer en revue toutes... les lois, en abroger beaucoup & de donner la sanction... à celles qu'on voudra conserver.

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But many others disgrace not only the Theory and Principle of our Code: they have a fatal Influence in preventing or reversing the Effects which should be derived from the Administration of Justice: both by their Cruelty if executed, and the Evils which result from their Suspension. That Crimes and Imprisonment may not continue to accumulate with such destructive Rapidity we must resort to a System adapted to the Spirit of our Constitution and the Disposition of the People; a System temperate and steady in the Execution, and which applying itself to the Sources of political Disorder may be reformatory and preventive.

There is one Statute of a very singular Nature§: I thought it had been repealed, but cannot trace it; though my Recollection assures me a Bill was brought in some few Years back for that Purpose. It is the Law which makes the Concealment of the Birth of an illegitimate Child conclusive Evidence that the Mother murdered it, unless she can prove that it was born dead. This in its origin was a temporary experimental Act. It was continued provisionally

On regarde....comme une maxime d'Etat de fermer les yeux sur beaucoup de choses: c'est à quoi le despotisme oblige toujours; mais dans un Gouvernement libre, c'est le moyen d'enervier la Législation & d'ébranler la Constitution. Peu de Loix, mais bien digérées, & surtout bien observées..... En un mot, souffrez tout plutôt que d'user le ressort des Loix: car quand un fois ce ressort est usé l'Etat est perdu sans ressource. CONSIDERATIONS SUR LE GOUVERNEMENT DE POLOGNE, & SUR SA REFORMATION PROJETTEE. 1772.

§ 22 J. I. 27.

amongst

amongst a Crowd of others by a Statute of the following Reign †; and then slid into Perpetuity by the Operation of another Statute, giving Continuance to that and its Companions till Parliament should farther appoint concerning them. It is true that Judges and Juries have reduced it in general Practice nearly to a Shadow: but it were much better the Legislature should abolish it as contrary to all the Principles of Evidence. There would then in this, as there ought to be in all criminal Cases, be a fair and open Field of Investigation on the Circumstances adduced on either Side. The Crime is a dreadful one: but there are better Ways to prevent it than by confounding the timid Shame of an unfortunate Mother with the desperate Guilt of the unnatural Destroyer of her Offspring.

I shall here conclude, with only an earnest Wish that Simplicity (so far as the State of Things will now admit) Equity, and Energy, may be the future Characteristics of the Discipline of English Law.

1 Sept. 1785.

C. L.

† 3 C. I. c. 4. § 16 C. I. c. 4.